

ANNUAL FEDERAL EQUAL EMPLOYMENT OPPORTUNITY STATISTICAL REPORT OF DISCRIMINATION COMPLAINTS

(REPORTING PERIOD BEGINS OCTOBER 1ST AND ENDS SEPTEMBER 30TH)

AGENCY OR DEPARTMENT: Surface Transportation Board

REPORTING PERIOD: FY 2005

PART I - PRE-COMPLAINT COUNSELING

EEO COUNSELOR		
	COUNSELINGS	INDIVIDUALS
A. TOTAL COUNSELED	3	3
1. COUNSELED WITHIN 30 DAYS	3	3
2. COUNSELED WITHIN 31 TO 90 DAYS		
3. COUNSELED BEYOND 90 DAYS		
4. COUNSELED DUE TO REMANDS		-

ADR INTAKE OFFICER		
	COUNSELINGS	INDIVIDUALS
B. TOTAL COUNSELED	0	
1. COUNSELED WITHIN 30 DAYS		
2. COUNSELED WITHIN 31 TO 90 DAYS		
3. COUNSELED BEYOND 90 DAYS		

COMBINED TOTAL		
	COUNSELINGS	INDIVIDUALS
C. TOTAL COUNSELED	3	3
1. COUNSELED WITHIN 30 DAYS	3	3
2. COUNSELED WITHIN 31 TO 90 DAYS		
3. COUNSELED BEYOND 90 DAYS		
4. COUNSELED DUE TO REMANDS		

D. COUNSELING THAT DID NOT RESULT IN FILING OF COMPLAINT		
	COUNSELINGS	INDIVIDUALS
TOTAL	3	3
1. EEO COUNSELOR	3	3
2. ADR INTAKE OFFICER		

E. NON-ADR SETTLEMENTS WITH MONETARY BENEFITS			
	COUNSELINGS	INDIVIDUALS	AMOUNT
TOTAL	0		\$
1. COMPENSATORY DAMAGES			\$
2. BACKPAY/FRONTPAY			\$
3. LUMP SUM PAYMENT			\$
4. ATTORNEYS FEES AND COSTS			\$
5. OTHER (PLEASE SPECIFY)			\$
6. OTHER (PLEASE SPECIFY)			\$
7. OTHER (PLEASE SPECIFY)			\$

F. NON-ADR SETTLEMENTS WITH NON-MONETARY BENEFITS		
	COUNSELINGS	INDIVIDUALS
TOTAL	0	
1. NEW HIRES		
2. PROMOTIONS		
3. REINSTATEMENTS		
4. EXPUNGEMENTS		
5. TRANSFERS		
6. REMOVALS RESCINDED AND VOLUNTARY RESIGNATIONS		
7. REASONABLE ACCOMMODATIONS		
8. TRAINING		
9. APOLOGY		
10. OTHER (Please specify)		
11. OTHER (Please specify)		
12. OTHER (Please specify)		

G. ADR SETTLEMENTS WITH MONETARY BENEFITS			
	COUNSELINGS	INDIVIDUALS	AMOUNT
TOTAL	0		\$
1. COMPENSATORY DAMAGES			\$
2. BACKPAY/FRONTPAY			\$
3. LUMP SUM PAYMENT			\$
4. ATTORNEYS FEES AND COSTS			\$
5. OTHER (PLEASE SPECIFY)			\$
6. OTHER (PLEASE SPECIFY)			\$
7. OTHER (PLEASE SPECIFY)			\$

H. ADR SETTLEMENTS WITH NON-MONETARY BENEFITS		
	COUNSELINGS	INDIVIDUALS
TOTAL	0	
1. NEW HIRES		
2. PROMOTIONS		
3. REINSTATEMENTS		
4. EXPUNGEMENTS		
5. TRANSFERS		
6. REMOVALS RESCINDED AND VOLUNTARY RESIGNATIONS		
7. REASONABLE ACCOMMODATIONS		
8. TRAINING		
9. APOLOGY		
10. OTHER (Please specify)		
11. OTHER (Please specify)		
12. OTHER (Please specify)		

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AGENCY OR DEPARTMENT: STB

REPORTING PERIOD: FY 2005

PART II FORMAL COMPLAINT ACTIVITIES

- 5 A. COMPLAINTS ON HAND AT THE BEGINNING OF THE REPORTING PERIOD
- 0 B. COMPLAINTS FILED
- 0 C. REMANDS
- 5 D. TOTAL COMPLAINTS (sum of lines A+B+C)
- 5 E. COMPLAINTS IN LINE D THAT WERE **NOT** CONSOLIDATED
- 5 F. COMPLAINTS IN LINE E CLOSED DURING REPORT PERIOD
- 0 G. COMPLAINTS IN LINE D THAT **WERE** CONSOLIDATED
- 5 H. COMPLAINTS IN LINE G CLOSED DURING REPORT PERIOD
- 0 I. COMPLAINTS ON HAND AT THE END OF THE REPORTING PERIOD (Line D - (sum of Lines F+H))
- 0 J. INDIVIDUALS FILING COMPLAINTS
- 0 K. NUMBER OF JOINT PROCESSING UNITS FROM CONSOLIDATION OF COMPLAINTS

PART III AGENCY RESOURCES, TRAINING, REPORTING LINE

A. AGENCY RESOURCES

	NUMBER	PERCENT
1. WORK FORCE		
a. TOTAL WORK FORCE	<u>142</u>	
b. PERMANENT EMPLOYEES	<u>132</u>	
2. COUNSELOR		
a. FULL-TIME		
b. PART-TIME		
c. COLLATERAL DUTY	<u>2</u>	
3. INVESTIGATOR *		
a. FULL-TIME		
b. PART-TIME		
c. COLLATERAL DUTY		
4. COUNSELOR/INVESTIGATOR *		
a. FULL-TIME		
b. PART-TIME		
c. COLLATERAL DUTY		

B. STAFF TRAINING

N/A

	COUNSELORS		INVESTIGATORS		COUNS/INVESTIG	
	AGENCY	CONTRACT	AGENCY	CONTRACT	AGENCY	CONTRACT
1. NEW STAFF - TOTAL						
a. STAFF RECEIVING REQUIRED 32 OR MORE HOURS						
b. STAFF RECEIVING 8 OR MORE HOURS, USUALLY GIVEN TO EXPERIENCED STAFF						
c. STAFF RECEIVING NO TRAINING AT ALL						
2. EXPERIENCED STAFF - TOTAL						
a. STAFF RECEIVING REQUIRED 8 OR MORE HOURS						
b. STAFF RECEIVING 32 OR MORE HOURS, GENERALLY GIVEN TO NEW STAFF						
c. STAFF RECEIVING NO TRAINING AT ALL						

C. REPORTING LINE

1. DOES THE EEO DIRECTOR REPORT TO THE AGENCY HEAD?	YES	NO
	<u>X</u>	

2. IF NO, WHO DOES THE EEO DIRECTOR REPORT TO?

PERSON:

TITLE:

* EEO counseling and investigations are provided by a private contractor, Lee Kramer Associates.

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STB

REPORTING PERIOD: FY 2005

None Filed

PART IV. BASES AND ISSUES ALLEGED IN COMPLAINTS FILED

ISSUES OF ALLEGED DISCRIMINATION	BASES OF ALLEGED DISCRIMINATION										TOTAL COMPLAINTS BY ISSUE	TOTAL COMPLAINTS BY ISSUE	TOTAL COMPLAINTS BY ISSUE					
	RACE				REPRISAL	RELIGION	COLOR	SEX		NATIONAL ORIGIN				EQUAL PAY ACT		AGE	DISABILITY	TOTAL COMPLAINTS BY ISSUE
	AMERICAN INDIAN/ ALASKAN NATIVE	ASIAN PACIFIC ISLANDER	BLACK	WHITE				MALE	FEMALE					HISPANIC	OTHER			
A. APPOINTMENT/HIRE																		
B. ASSIGNMENT OF DUTIES																		
C. AWARDS																		
D. CONVERSION TO FULL TIME																		
E. DISCIPLINARY ACTION																		
1. DEMOTION																		
2. REPRIMAND																		
3. SUSPENSION																		
4. REMOVAL																		
5. OTHER																		
6. OTHER																		
7. OTHER																		
F. DUTY HOURS																		
G. EVALUATION/APPRAISAL																		
H. EXAMINATION/TEST																		
I. HARASSMENT																		
1. NON-SEXUAL																		
2. SEXUAL																		
J. MEDICAL EXAMINATION																		
K. PAY INCLUDING OVERTIME																		
L. PROMOTION/NOON SELECTION																		
M. REASSIGNMENT																		
1. DENIED																		
2. DIRECTED																		
N. REASONABLE ACCOMMODATION																		
O. REINSTATEMENT																		
P. RETIREMENT																		
Q. TERMINATION																		
R. TERMS/CONDITIONS OF EMPLOYMENT																		
S. TIME AND ATTENDANCE																		
T. TRAINING																		
U. OTHER (Please specify below)																		
1.																		
2.																		
3.																		
4.																		
5.																		
TOTAL ISSUES BY BASES																		
TOTAL COMPLAINTS FILED BY BASES																		
TOTAL COMPLAINTANTS BY BASES																		

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PART V - SUMMARY OF CLOSURES BY STATUTE

A. STATUTE (IF A SINGLE COMPLAINT HAS MULTIPLE STATUTES RECORD EACH ON THE APPROPRIATE LINE.)

- 5 1. TITLE VII
2. AGE DISCRIMINATION IN EMPLOYMENT ACT (ADEA)
3. REHABILITATION ACT
4. EQUAL PAY ACT (EPA)

B. TOTAL BY STATUTES

5 THIS NUMBER MAY BE LARGER THAN THE TOTAL NUMBER OF COMPLAINTS CLOSED.
(A1+A2+A3+A4)

PART VI SUMMARY OF CLOSURES BY CATEGORY

	TOTAL NUMBER	TOTAL DAYS	AVERAGE DAYS
A. TOTAL NUMBER OF CLOSURES (1+2+3)	<u>5</u>	<u>4204</u>	<u>840.8</u>
1. WITHDRAWALS	<u>2</u>	<u>3394</u>	<u>1697</u>
2. SETTLEMENTS			
3. FINAL AGENCY DECISIONS (B+C)			
B. FINAL AGENCY DECISIONS <i>WITHOUT</i> AN ADMINISTRATIVE JUDGE DECISION (1+2+3)	<u>0</u>		
1. FINDING DISCRIMINATION			
2. FINDING NO DISCRIMINATION			
3. DISMISSAL OF COMPLAINTS			
C. FINAL AGENCY ACTIONS <i>WITH</i> AN ADMINISTRATIVE JUDGE (AJ) DECISION (1+2+3)	<u>0</u>		
1. AJ DECISION FULLY IMPLEMENTED (a+b)			
(a) FINDING DISCRIMINATION			
(b) FINDING NO DISCRIMINATION			
2. AJ DECISION NOT FULLY IMPLEMENTED (a+b)			
(a) FINDING DISCRIMINATION (i+ii+iii)			
i. AGENCY APPEALED FINDING BUT NOT REMEDY			
ii. AGENCY APPEALED REMEDY BUT NOT FINDING			
iii. AGENCY APPEALED BOTH FINDING AND REMEDY			
(b) FINDING NO DISCRIMINATION			
3. DISMISSAL OF COMPLAINTS	<u>3</u>	<u>810</u>	<u>270</u>

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PART VII SUMMARY OF COMPLAINTS CLOSED WITH CORRECTIVE ACTION DURING FORMAL COMPLAINT STAGE

	NUMBER	AMOUNT
A. TOTAL COMPLAINTS CLOSED WITH CORRECTIVE ACTION	0	
B. CLOSURES WITH MONETARY BENEFITS		\$
1. BACK PAY/FRONT PAY		\$
2. LUMP SUM PAYMENT		\$
C. CLOSURES WITH NON-MONETARY BENEFITS		
D. CLOSURES WITH COMPENSATORY DAMAGES		\$
E. CLOSURES WITH ATTORNEY'S FEES AND COSTS		\$
F. TYPES OF CORRECTIVE ACTION	NUMBER WITH MONETARY BENEFITS	NUMBER WITH NON-MONETARY BENEFIT
1. HIRE		
a. RETROACTIVE		
b. NON-RETROACTIVE		
2. PROMOTION		
a. RETROACTIVE		
b. NON-RETROACTIVE		
3. DISCIPLINARY ACTION		
a. RESCINDED		
b. MODIFIED		
4. REINSTATEMENT		
5. REASSIGNMENT		
6. PERFORMANCE EVALUATION MODIFIED		
7. PERSONNEL FILE PURGED OF ADVERSE MATERIAL		
8. ACCOMMODATION		
9. TRAINING/TUITION/ETC.		
10. LEAVE RESTORED		
11. OTHER		
12. OTHER		
13. OTHER		

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PART VIII SUMMARY OF PENDING COMPLAINTS BY CATEGORY

	NUMBER PENDING	NUMBER OF DAYS	AVERAGE DAYS	NUMBER OF DAYS PENDING FOR OLDEST CASE
A. TOTAL COMPLAINTS PENDING (SAME AS PART II Line I) (1+2+3+4)	0			
1. COMPLAINTS PENDING WRITTEN NOTIFICATION				
2. COMPLAINTS PENDING IN INVESTIGATION				
3. COMPLAINTS PENDING IN HEARINGS				
4. COMPLAINTS PENDING A FINAL AGENCY DECISION				

PART IX SUMMARY OF INVESTIGATIONS COMPLETED

	TOTAL	TOTAL DAYS	AVERAGE DAYS
A. INVESTIGATIONS COMPLETED DURING REPORTING PERIOD (1+3)	0		
1. INVESTIGATIONS COMPLETED BY AGENCY PERSONNEL (a+b+c)			
a. INVESTIGATIONS COMPLETED IN 180 DAYS OR LESS			
b. INVESTIGATIONS COMPLETED IN 181 - 360 DAYS			
c. INVESTIGATIONS COMPLETED IN 361 OR MORE DAYS			
2. COST OF AGENCY INVESTIGATIONS	\$		
3. INVESTIGATIONS COMPLETED BY CONTRACTORS (a+b+c)			
a. INVESTIGATIONS COMPLETED IN 180 DAYS OR LESS			
b. INVESTIGATIONS COMPLETED IN 181 - 360 DAYS			
c. INVESTIGATIONS COMPLETED IN 361 OR MORE DAYS			
4. COST OF CONTRACTOR INVESTIGATIONS	\$ 0		

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AGENCY OR DEPARTMENT: STB REPORTING PERIOD: FY 2005

PART X SUMMARY OF ADR PROGRAM ACTIVITIES

INFORMAL PHASE (PRE-COMPLAINT)

	COUNSELINGS	INDIVIDUALS	DAYS	AVERAGE DAYS
A. ADR PENDING FROM PREVIOUS REPORTING PERIOD	0			
B. ADR ACTIONS FOR CURRENT REPORTING PERIOD				
1. ADR OFFERED				
2. REJECTED BY INDIVIDUAL				
3. REJECTED BY AGENCY				
4. TOTAL ACCEPTED INTO ADR				
C. RESOURCES USED (1+2+3+4+5+6+7)	0			
1. INHOUSE				
2. ANOTHER FEDERAL AGENCY				
3. PRIVATE ORGANIZATIONS, (e.g., CONTRACTORS, BAR ASSOCIATIONS, INDIVIDUAL VOLUNTEERS OR COLLEGE/UNIVERSITY PERSONNEL)				
4. MULTIPLE RESOURCES USED (Please specify)				
5. OTHER (Please specify)				
6. OTHER (Please specify)				
7. OTHER (Please specify)				
D. ADR ATTEMPTS (1+2+3+4+5+6+7+8+9+10+11)	0		DAYS	AVERAGE DAYS
1. MEDIATION				
2. SETTLEMENT CONFERENCES				
3. EARLY NEUTRAL EVALUATIONS				
4. FACTFINDING				
5. FACILITATION				
6. OMBUDSMAN				
7. PEER REVIEW				
8. MULTIPLE TECHNIQUES USED (Please specify)				
9. OTHER (Please specify)				
10. OTHER (Please specify)				
11. OTHER (Please specify)				
E. STATUS OF CASES	COUNSELINGS	INDIVIDUALS	DAYS	AVERAGE DAYS
1. TOTAL CLOSED (a+b+c+d+e+f)	0			
a. SETTLEMENTS WITH BENEFITS (Monetary and Non-monetary)				
b. NO FORMAL COMPLAINT FILED				
c. NO RESOLUTION				
d. NO ADR ATTEMPT				
e. OTHER (Please specify)				
f. OTHER (Please specify)				
2. OPEN INVENTORY - ADR PENDING	0			

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PART XI SUMMARY OF ADR PROGRAM ACTIVITIES

FORMAL PHASE

	COMPLAINTS	COMPLAINANTS	DAYS	AVERAGE DAYS
A. ADR PENDING FROM PREVIOUS REPORTING PERIOD	0			
B. ADR ACTIONS FOR CURRENT REPORTING PERIOD				
1. ADR OFFERED				
2. REJECTED BY COMPLAINANT				
3. REJECTED BY AGENCY	0			
4. TOTAL ACCEPTED INTO ADR				
C. RESOURCES USED (1+2+3+4+5+6+7)	0			
1. INHOUSE				
2. ANOTHER FEDERAL AGENCY				
3. PRIVATE ORGANIZATIONS, (e.g., CONTRACTORS, BAR ASSOCIATIONS, INDIVIDUAL VOLUNTEERS OR COLLEGE/UNIVERSITY PERSONNEL)				
4. MULTIPLE RESOURCES USED (Please specify)				
5. OTHER (Please specify)				
6. OTHER (Please specify)				
7. OTHER (Please specify)				
D. ADR ATTEMPTS (1+2+3+4+5+6+7+8+9+10+11+12)	0			
1. MEDIATION				
2. SETTLEMENT CONFERENCES				
3. EARLY NEUTRAL EVALUATIONS				
4. FACTFINDING				
5. FACILITATION				
6. OMBUDSMAN				
7. MINI-TRIALS				
8. PEER REVIEW				
9. MULTIPLE TECHNIQUES USED (Please specify)				
10. OTHER (Please specify)				
11. OTHER (Please specify)				
12. OTHER (Please specify)				
E. STATUS OF CASES	COMPLAINTS	COMPLAINANTS	DAYS	AVERAGE DAYS
1. TOTAL CLOSED (a+b+c+d+e+f)	0			
a. SETTLEMENTS WITH BENEFITS (Monetary and Non-monetary)				
b. WITHDRAWAL FROM EEO PROCESS				
c. NO RESOLUTION				
d. OTHER (Please specify)				
e. OTHER (Please specify)				
f. OTHER (Please specify)				
2. OPEN INVENTORY - ADR PENDING	0			
F. BENEFITS RECEIVED	COMPLAINTS	COMPLAINANTS	AMOUNT	
1. MONETARY (INSERT TOTAL)	0		\$	
a. COMPENSATORY DAMAGES			\$	
b. BACKPAY/FRONTPAY			\$	
c. LUMP SUM			\$	
d. ATTORNEY'S FEES AND COSTS			\$	
e. OTHER (Please specify)			\$	
f. OTHER (Please specify)			\$	
g. OTHER (Please specify)			\$	
2. NON-MONETARY (INSERT TOTAL)	0			
a. NEW HIRES				
b. PROMOTIONS				
c. REINSTATEMENTS				
d. EXPUNGEMENTS				
e. TRANSFERS				
f. REMOVALS RESCINDED AND VOLUNTARY RESIGNATIONS				
g. REASONABLE ACCOMMODATIONS				
h. TRAINING				
i. APOLOGY				
j. OTHER (Please specify)				
k. OTHER (Please specify)				
l. OTHER (Please specify)				

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AGENCY OR DEPARTMENT: STB REPORTING PERIOD: FY 2005

PART XII SUMMARY OF ADR PROGRAM ACTIVITIES

TRAINING AND RESOURCES

	NUMBER	TRAINED
A. BASIC ADR ORIENTATION TRAINING		
N/A		
1. MANAGERS		
2. EMPLOYEES		
B. EMPLOYEES THAT CAN PARTICIPATE IN ADR	NUMBER	
N/A		
C. IN HOUSE STAFF RESOURCES AVAILABLE FOR ADR	NUMBER	
1. FULL TIME		
2. PART TIME		
3. COLLATERAL DUTY		
D. ADR FUNDING SPENT	AMOUNT	
	\$ <u>0</u>	

CERTIFICATION AND CONTACT INFORMATION

I certify that the EEO complaint data contained on this report, EEOC Form 462, Annual Federal Equal Employment Opportunity Statistical Report of Discrimination Complaints, for the reporting period October 1, through September 30, are accurate and complete.

TYPED NAME AND TITLE OF CERTIFYING OFFICIAL: Vernon Williams, EEO Director

SIGNATURE OF CERTIFYING OFFICIAL:

Vernon Williams

TYPED NAME AND TITLE OF PREPARER:

Vernon Williams, EEO Director

SIGNATURE OF PREPARER:

Vernon Williams

vernon.williams@stb.dot.gov

DATE: TELEPHONE NUMBER: 202/515-1718

E-MAIL:

This report is due to the following address on or before October 31st:

U.S. Equal Employment Opportunity Commission
Office of Federal Operations
Federal Sector Programs
1801 L Street, NW
Washington, DC 20507